

ORDINANCE NO. 2001 - 053

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE FUTURE LAND USE ATLAS (FLUA) FOR A COUNTY INITIATED SITE SPECIFIC AMENDMENT: 01-11 EDC 1 (UNITED TECHNOLOGIES), MODIFYING PAGE 11 OF THE FLUA BY CHANGING AN APPROXIMATELY 275.6 ACRE PARCEL OF LAND, LOCATED WEST OF THE BEELINE HIGHWAY (SR 710) AND THE CSX RAILROAD, SOUTH OF INDIANTOWN ROAD, FROM INDUSTRIAL (IND) TO ECONOMIC DEVELOPMENT CENTER (EDC); PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17; and

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners have initiated amendments to several elements of the Comprehensive Plan in order to promote the health, safety and welfare of the public of Palm Beach County; and

WHEREAS, the Palm Beach County Local Planning Agency conducted its public hearings on February 2, 9, 23, and March 9, 2001 to review the proposed amendments to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendments to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on March 26 and April 10, 2001 to review the recommendations of the Local Planning Agency, whereupon the Board of County Commissioners authorized transmittal of proposed amendments to the Department of Community Affairs for review and comment pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, Palm Beach County received on July 1, 2001 the Department of Community Affairs "Objections, Recommendations, and Comments Report," dated June 29, 2001 which was the Department's

1 written review of the proposed Comprehensive Plan amendments; and

2 WHEREAS, the written comments submitted by the Department of
3 Community Affairs contained no objections to the amendments contained
4 in this ordinance;

5 WHEREAS, on August 27, 2001 the Palm Beach County Board of County
6 Commissioners held a public hearing to review the written comments
7 submitted by the Department of Community Affairs and to consider
8 adoption of the amendments; and

9 WHEREAS, the Palm Beach County Board of County Commissioners has
10 determined that the amendments comply with all requirements of the
11 Local Government Comprehensive Planning and Land Development
12 Regulations Act.

13 NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
14 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

15 Part I. Amendments to the Future Land Use Atlas of the Land Use
16 Element of the 1989 Comprehensive Plan

17 The following amendments to the Land Use Element's Future Land
18 Use Atlas are hereby adopted and attached to this Ordinance:

19 A. Future Land Use Atlas page 11 is amended as follows:

20 Application No.: 01-11 EDC 1 (United Technologies)

21 Amendment: From Industrial (IND) to Economic
22 Development Center (EDC);

23 General Location: West of the Beeline Highway (SR 710) and
24 the CSX railroad, south of Indiantown Road;

25 Size: Approximately 275.6 acres;

26 Part II. Repeal of Laws in Conflict

27 All local laws and ordinances applying to the unincorporated area
28 of Palm Beach County in conflict with any provision of this ordinance
29 are hereby repealed to the extent of such conflict.

30 Part III. Severability

31 If any section, paragraph, sentence, clause, phrase, or word of
32 this Ordinance is for any reason held by the Court to be
33 unconstitutional, inoperative or void, such holding shall not affect
34 the remainder of this Ordinance.

1 Part IV. Inclusion in the 1989 Comprehensive Plan

2 The provision of this Ordinance shall become and be made a part
3 of the 1989 Palm Beach County Comprehensive Plan. The Sections of the
4 Ordinance may be renumbered or relettered to accomplish such, and the
5 word "ordinance" may be changed to "section," "article," or any other
6 appropriate word.

7 Part V. Effective Date

8 The effective date of this plan amendment shall be the date a
9 final order is issued by the Department of Community Affairs or
10 Administration Commission finding the amendment in compliance in
11 accordance with Section 163.3184, Florida Statutes, whichever occurs
12 earlier. No development orders, development permits, or land uses
13 dependent on this amendment may be issued or commence before it has
14 become effective. If a final order of noncompliance is issued by the
15 Administration Commission, this amendment may nevertheless be made
16 effective by adoption of a resolution affirming its effective status,
17 a copy of which resolutions shall be sent to the Department of
18 Community Affairs, Bureau of Local Planning, 2555 Shumard Oak
19 Boulevard, Tallahassee, Florida 32399-2100.

20 **APPROVED AND ADOPTED** by the Board of County Commissioners of
21 Palm Beach County, on the 27 day of August, 2001.

22
23 ATTEST:

24 DOROTHY H. WILKEN, Clerk

25 PALM BEACH COUNTY, FLORIDA,

26 BY ITS BOARD OF COUNTY COMMISSIONERS

27 By [Signature] Deputy Clerk By [Signature]
28 Warren H. Newell, Chairman

29 APPROVED AS TO FORM AND LEGAL SUFFICIENCY

30 [Signature]
31 COUNTY ATTORNEY

32
33 Filed with the Department of State on the 6th day

34
35 of September, 2001



Legal Description:

A PARCEL OF LAND IN SECTIONS 13 AND 14, TOWNSHIP 41 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 13; THENCE NORTH 89°56'23" WEST ALONG THE SOUTH LINE OF SAID SECTIONS 13 AND 14, A DISTANCE OF 7246.80 FEET; THENCE NORTH 00°03'37" EAST, A DISTANCE OF 1225.98 FEET; THENCE NORTH 89°56'23" WEST, A DISTANCE OF 1029.46 FEET; THENCE NORTH 00°03'37" EAST, A DISTANCE OF 960.87 FEET; THENCE NORTH 89°37'15" EAST, A DISTANCE OF 1267.88 FEET; THENCE SOUTH 45°17'34" WEST, A DISTANCE OF 139.75 FEET; THENCE SOUTH 00°57'54" WEST, A DISTANCE OF 423.89 FEET TO A POINT OF CURVATURE OF CURVE CONCAVE TO THE EAST, HAVING A RADIUS OF 160.00 FEET, A CENTRAL ANGLE OF 46°01'44"; THENCE SOUTHEASTERLY ALONG SAID CURVE A ARC LENGTH OF 128.54 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 45°03'50" EAST, A DISTANCE OF 495.72 FEET TO A POINT OF CURVATURE OF CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 160.00 FEET, A CENTRAL ANGLE OF 46°01'44"; THENCE SOUTHEASTERLY ALONG SAID CURVE A ARC LENGTH OF 128.54 FEET TO THE POINT OF TANGENCY; THENCE NORTH 89°39'03" EAST, A DISTANCE OF 2383.32 FEET; THENCE NORTH 00°20'57" WEST, A DISTANCE OF 713.00 FEET; THENCE SOUTH 89°39'03" WEST, A DISTANCE OF 315.00 FEET; THENCE NORTH 00°20'57" WEST, A DISTANCE OF 50.00 FEET; THENCE SOUTH 89°39'03" EAST, A DISTANCE OF 109.74 FEET; THENCE NORTH 00°20'57" WEST, A DISTANCE OF 101.00 FEET; THENCE SOUTH 89°39'03" WEST, A DISTANCE OF 25.00 FEET; THENCE NORTH 00°20'57" WEST, A DISTANCE OF 50.00 FEET; THENCE SOUTH 89°39'03" WEST A DISTANCE OF 104.51 FEET; THENCE NORTH 00°20'57" WEST, A DISTANCE OF 243.18 FEET; THENCE NORTH 89°39'03" EAST, A DISTANCE OF 64.88 FEET; THENCE NORTH 00°20'57" WEST, A DISTANCE OF 1061.82 FEET; THENCE NORTH 89°39'03" EAST, A DISTANCE OF 127.26 FEET MORE OR LESS TO THE SOUTHWEST RIGHT-OF-WAY LINE OF SEABOARD AIR LINE RAILWAY COMPANY AS DESCRIBED IN DEED BOOK 219, PAGE 6; THENCE SOUTH 53°39'11" EAST ALONG SAID SOUTHWEST RIGHT-OF-WAY LINE, A DISTANCE OF 5631.36 FEET MORE OR LESS TO THE EAST LINE OF SAID SECTION 13; THENCE SOUTH 00°27'19" EAST ALONG EAST LINE OF SAID SECTION 13, A DISTANCE OF 39.33 FEET MORE OR LESS TO THE POINT OF BEGINNING.

THE ABOVE PARCEL CONTAINS 275.6 ACRES MORE OR LESS.

STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the
Board of County Commissioners certify this to be a
true and correct copy of the original filed in my office
on August 27, 2011.
DATED at West Palm Beach, FL on 9/2/11.
DOROTHY H. WILKEN, Clerk
By: Diane Brown D.C.